

CHAPTER 309  
FORMERLY  
HOUSE SUBSTITUTE NO. 1

FOR

HOUSE BILL NO. 362

AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Title 26, Chapter 1, Subchapter IV of the Delaware Code by making deletions as shown by strike through and additions as shown by underline as follows:

§404. Relocation of residential gas meters and other equipment.

(a) Prior to the relocation of any inside residential gas meter, the public utility shall consult with each owner of the property as to the owner's preference for retaining the gas meter inside or relocating it to an outside location. If the gas meter remains inside, no person shall conceal the meter by plaster, sheathing, or any other materials or means, and the meter must be located in a ventilated area, not less than 3 feet away from any source of ignition and any sources of heat. If the public utility determines that it is feasible for the other residential gas equipment, such as the regulator and valve and accessories thereto, to be located outside, such equipment shall be relocated outside.

(b) If the gas meter is relocated to an outside location, the public utility shall determine a feasible location that is least visibly prominent and considers the preference of each owner of the property. If requested by a property owner, the public utility will provide initial landscaping or other screening to camouflage the gas meter.

(c) In the event that a gas meter remains inside, each owner of the residential property shall grant reasonable access to the public utility to maintain, repair, replace, or inspect the gas meter, consistent with the provisions of the public utility's tariff provisions. If any property owner denies the public utility reasonable access to the gas meter, the property's gas service shall be subject to termination, in which event, upon reconnection of service, the public utility may, in its sole discretion, move the gas meter outside consistent with the provisions of subsection (b) of this section.

(d) Notwithstanding any provision of the Delaware Code or any law, ordinance, rule, or regulation of any county or municipality to the contrary, the public utility may relocate the gas meter outside, with the property owner's approval, where a property is located in a historic district, neighborhood conservation district, or other designated district subject to design standards or guidelines involving review and approval by applicable governmental boards or agencies, or is eligible for listing or is listed on the National Register of Historic Places. The public utility shall relocate the other gas equipment for the property, such as the regulator and valve and accessories thereto, outside. If the gas meter and other equipment are moved outside, the public utility shall provide initial landscaping or other screening to camouflage the gas meter and other gas equipment.

(e) As used in this section, the term "feasible" means that which is consistent with gas industry safety standards and in compliance with the public utility's design and engineering requirements.

Section 2. This Act shall take effect upon its enactment into law and shall apply to the relocation of residential gas meters and equipment on or after the effective date.

Approved July 13, 2016